

IN THE CLAIMS:

Please amend the claims as follows.

- [c1] / (Currently Amended) An orthopedic appliance, comprising a wedge [for placement under the phalanges of a toe ~~and not extending under forward of the center of a first metatarsal~~, the wedge having a top surface adapted to support the toe and a bottom surface, wherein an angle of inclination between the top surface and the bottom surface of the wedge is between 1 and 60 degrees.] *Toe is elevating*
- [c2] / (Original) The orthopedic appliance of claim 1, wherein the angle of inclination is between 10 and 20 degrees.
- [c3] / (Original) The orthopedic appliance of claim 1, wherein the wedge is formed integrally as part of a piece of footwear.
- [c4] / (Original) The orthopedic appliance of claim 1, wherein the wedge comprises an elastomeric material.
- [c5] / (Original) The orthopedic appliance of claim 1, wherein the wedge comprises a material selected from the group consisting of: cork, leather, resilient foam, and thermoplastic material.
- [c6] / (Original) The orthopedic appliance of claim 1, wherein a concave depression is formed in the top surface.
- [c7] / (Original) The orthopedic appliance of claim 1, further comprising at least one fastener.
- [c8] / (Original) The orthopedic appliance of claim 7, wherein the at least one fastener comprises a plurality of bands disposed adjacent the top surface.
- [c9] / (Original) The apparatus of claim 7, wherein the at least one fastener comprises a sheath disposed over the top surface.

- ✓ [c10] / (Currently Amended) An apparatus for orthopedic treatment, comprising:  
    a top surface adapted to support the phalanges of a toe and not extending  
    under the center of a first metatarsal;  
    a bottom surface; and  
    a support which maintains a toe at an angle of inclination between the top surface  
    and the bottom surface.
- ✓ [c11] / (Original) The apparatus of claim 10, wherein the angle of inclination is between  
    1 and 60 degrees.
- [c12] / (Original) The apparatus of claim 10, wherein the angle of inclination is between  
    10 and 20 degrees.
- ✓ [c13] / (Original) The apparatus of claim 10, wherein the support is formed integrally as  
    part of a piece of footwear.
- ✓ [c14] / (Original) The apparatus of claim 10, wherein a concave depression is formed in  
    the top surface.
- ✓ [c15] / (Original) The apparatus of claim 10, further comprising at least one fastener.
- ✓ [c16] / (Previously Presented) The apparatus of claim 15, wherein the at least one  
    fastener comprises a plurality of bands disposed adjacent the top surface.
- ✓ [c17] / (Previously Presented) The apparatus of claim 15, wherein the at least one  
    fastener comprises a sheath disposed over the top surface.
- ✓ [c18] / (Currently Amended) A method for improving stability of a foot during  
    ambulation, comprising:  
        providing a wedge having a top surface positioned substantially under the  
        phalanges of a toe and not extending under the center of a first metatarsal,  
        and a bottom surface; and  
        elevating the toe to a predetermined angle of inclination using the wedge.

[c19] (Original) The method of claim 18, wherein the angle of inclination is between approximately 1 and 60 degrees.

[c20] (Original) The apparatus of claim 18, wherein the angle of inclination is between 10 and 20 degrees.

[c21] (Previously Presented) The method of claim 18, further comprising fixing the bottom surface of the wedge to a piece of footwear.

[c22] (Previously Presented) The method of claim 18, further comprising fixing the wedge to the toe using at least one band.

[c23] (Original) The method of claim 18, further comprising fixing the wedge to the toe using a sheath.